REMARKS

Introduction

Claims 1-167 were pending in this case.

The Examiner rejected claims 41, 46, 52, 96, 101, 107, 111, 152, 157, 163, and 167 under 35 U.S.C. § 102(e) as being anticipated by Schein et al. U.S. Patent 6,002,394 (hereinafter "Schein"). The Examiner rejected claims 1, 2, 7, 13, 15, 17-40, 54, 55, 57, 58, 63, 69, 71, 73-95, 109, 110, 112, 113, 118, 124, 126, 128-151, and 167 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Hendricks et al. U.S. Patent 6,463,585 (hereinafter "Hendricks"). The Examiner rejected claims 3, 4, 9, 10, 59, 60, 65, 66, 114, 115, 120, and 121 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Lawler et al. U.S. Patent 5,699,107 (hereinafter "Lawler"). The Examiner rejected claims 42, 43, 48, 49, 97, 98, 103, 104, 153, 154, 159, and 160 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Hendricks and Lawler. The Examiner rejected claims 5, 6, 11, 12, 61, 62, 67, 68, 116, 117, 122, and 123 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Ming et al. U.S. Patent 5,710,815 (hereinafter "Ming"). The Examiner rejected claims 44, 45, 50, 51, 99, 100, 105, 106, 155, 156, 161, and 162 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Hendricks and Ming. The Examiner rejected claims 8, 14, 64,

70, 119, and 125 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Casement et al. U.S. Patent 5,969,748 (hereinafter "Casement"). The Examiner rejected claims 47, 53, 102, 108, 158, and 164 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Hendricks and Casement. The Examiner rejected claims 16, 72, and 127 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Seibert et al. U.S. Patent 6,601,107 (hereinafter "Seibert").

Reconsideration of this application in light of the following remarks is hereby respectfully requested.

Summary of Telephonic Interview

Applicants would like to thank the Examiner for the telephonic interview of August 1, 2005.

With respect to independent claims 1, 57, and 112, applicants asserted during the interview that the claimed invention is distinguishable because it advantageously distributes frequently-requested current program data in a continuous data stream while providing non-current program guide data using a client-server approach. The Examiner maintained that the claims, as written, were not patentable over the prior art and suggested that applicants amend the claims to clarify the intended invention. Applicants maintain our arguments regarding the prior version of the claims.

However, in order to advance prosecution of this application, applicants have amended the claims to more particularly define the claimed invention.

With respect to independent claims 41, 96, and 152, applicants asserted during the interview that applicants' invention advantageously distributes a particular unique identifier associated with a particular television program in the continuous data stream only when the particular television program is being broadcast. Applicants asserted that this approach enables the interactive program guide to intelligently recognize when the particular television program is being broadcast and to correctly perform a real-time action associated with the program (e.g., reminder, recording, etc.) even when the program's broadcast time has been altered. The Examiner maintained that the claims, as written, were not patentable over the prior art and suggested that applicants amend the claims to clarify the intended invention. Applicants maintain our arguments regarding the prior version of the claims. However, in order to advance prosecution of this application, applicants have amended the claims to more particularly define the claimed invention.

Amendments to The Claims

Applicants have canceled claims 54-56, 109-111, and 165-167 without prejudice. Applicants have amended

independent claims 1, 41, 57, 96, 112, and 152 to more clearly define the claimed invention. Applicants have amended dependent claims 42-53, 97-109, and 153-164 to conform with the amended independent claims. No new matter has been added and the amendments are fully supported by the applicants' original specification.

Claims 1-40, 57-95, and 112-151

The Examiner rejected claims 1, 2, 7, 13, 15, 17-40, 57, 58, 63, 69, 71, 73-95, 112, 113, 118, 124, 126, and 128-151 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Hendricks. The Examiner rejected claims 3, 4, 9, 10, 59, 60, 65, 66, 114, 115, 120, and 121 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Lawler. The Examiner rejected claims 5, 6, 11, 12, 61, 62, 67, 68, 116, 117, 122, and 123 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Ming. The Examiner rejected claims 8, 14, 64, 70, 119, and 125 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Casement. The Examiner rejected claims 16, 72, and 127 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Seibert. The Examiner's rejections are respectfully traversed.

Applicants' amended independent claims 1, 57, and 112 relate to a system and method for providing program

guide data to an interactive television program guide implemented on user television equipment. The program guide data includes a subset of current program guide data that is frequently requested. The subset of current program guide data is selected for inclusion in a continuous data stream. The continuous data stream exclusively distributes the subset of current program guide data to the user television equipment. The interactive television program guide implemented on the user television equipment obtains the subset of current program guide data directly from the continuous data stream for inclusion in program guide displays on user television equipment. The guide also obtains program guide data other than the subset of current program guide data from a program guide server in response to requests generated by the guide.

Applicants' claimed approach of exclusively distributing the selected subset of current program guide data using a continuous data stream advantageously provides frequently requested data more quickly (i.e., eliminating delay caused by a client-server request and minimizing data latency by limiting the amount of data cycled in the stream). Applicants approach of supplementing the continuous data stream with a client-server system advantageous provides access to all other program guide data (other than current program data) without requiring a large amount of persistent

storage at the user television equipment. Therefore, applicants' combined data distribution system provides the advantages of both a continuous data stream system and a client-server system while minimizing the disadvantages of each system. (See page 5, lines 8-21 and page 17, line 23 to page 18, line 2 of applicants' specification.)

While applicants' invention, as defined by independent claims 1, 57, and 112, may generally implicate the subject matter of Schein and Hendricks, applicants' invention patentably improves upon both references by providing an interactive television program guide system that 1) selects a subset of frequently requested current program guide data and exclusively distributes the subset in a continuous data stream, 2) obtains the subset of current program guide data directly from the continuous data stream for inclusion in program guide displays, and 3) obtains program guide data other than the subset from a program guide server responsive to requests generated by the interactive television program guide.

In contrast, neither Schein or Hendricks includes subject matter regarding 1) the selection of a subset of frequently requested current program guide data for exclusive distribution in a continuous data stream, 2) obtaining a selected subset of data directly from a continuous data stream for inclusion in program guide displays, or 3) the combination

of a continuous data stream system with a client-server system to achieve an advantageous technical solution for data distribution. In particular, neither reference includes subject matter on limiting the content of a continuous data stream to a subset of frequently requested current program guide data selected from all program guide data. Neither reference includes subject matter on obtaining this subset of data directly from a continuous data stream for inclusion in program guide displays. And, while Schein and Hendricks refer to a plurality of approaches for providing program guide data to user television equipment, which include VBI data streams and client-server approaches, neither refers to a single coherent system for sharing the data distribution workload between a continuous data stream and a client-server system to achieve a technical advantage (e.g., minimizing latency for the most frequently requested program guide data).

Accordingly, applicants respectfully submit that independent claims 1, 57, and 112 are now in condition for allowance. Claims 2-40, which depend from independent claim 1, claims 58-95, which depend from independent claim 57, and claims 113-151, which depend from independent claim 112, are also in condition for allowance.

Claims 41-53, 96-108, and 152-164

The Examiner rejected claims 41, 46, 52, 96, 101, 107, 152, 157, and 163 under 35 U.S.C. § 102(e) as being anticipated by Schein. The Examiner rejected claims 42, 43, 48, 49, 97, 98, 103, 104, 153, 154, 159, and 160 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Hendricks and Lawler. The Examiner rejected claims 44, 45, 50, 51, 99, 100, 105, 106, 155, 156, 161, and 162 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Hendricks and Ming. The Examiner rejected claims 47, 53, 102, 108, 158, and 164 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Hendricks and Casement. The Examiner's rejections are respectfully traversed.

Applicants' amended independent claims 41, 96, and 152 relate to a system and method for providing program guide data to an interactive television program guide implemented on user television equipment. The program guide data includes unique identifiers associated with television programs. A particular unique identifier associated with a particular television program is selected for inclusion in a continuous data stream. The particular unique identifier is distributed to the user television equipment in the continuous data stream only when the particular television program is currently being broadcasted. The interactive television program guide implemented on the user television equipment monitors the

continuous data stream for the presence of the particular unique identifier, which indicates when the particular television program is currently being broadcasted. The interactive television program guide performs a real-time action associated with the particular television program when the particular unique identifier is detected in the continuous data stream.

Applicants' claimed approach advantageously enables the interactive television program guide system to accommodate last-minute television program scheduling changes (e.g., program overruns, cancellations) that can affect a real-time program guide action, such as the display of a program reminder or the beginning of a program recording (see pages 38-39 of applicants' specification).

While applicants' invention, as defined by independent claims 41, 96, and 152, may generally implicate the subject matter of Schein, applicants' invention patentably improves upon Schein by providing an interactive television program guide system that 1) distributes, in a continuous data stream, a particular unique identifier associated with a particular television program only when the particular television program is currently being broadcasted, 2) monitors the continuous data stream for the presence of the particular unique identifier to determine whether the particular television program is currently being broadcasted, and 3)

performs a real-time action associated with the particular television program when the particular unique identifier is detected in the continuous data stream.

In contrast, Schein refers to a system in which commands are continuously sent to the user equipment to update the program guide database at the user end. Schein does not include subject matter regarding a system and method for 1) distributing a particular unique identifier in the continuous data stream only when the particular television program associated with the identifier is currently being broadcasted and 2) monitoring the continuous data stream for the identifier to determine whether the particular television program is currently being broadcasted. Rather, the system referred to by Schein continuous transmits program guide data in the VBI of a television signal to update the user end database, and does not monitor the continuous data stream for the identifier to determine whether the particular television program is currently being broadcasted, as recited in claims 41, 96, and 152.

Accordingly, applicants respectfully submit that independent claims 41, 96, and 152 are now in condition for allowance. Claims 42-53, which depend from independent claim 41, claims 97-108, which depend from independent claim 96, and claims 153-164, which depend from independent claim 152, are also in condition for allowance.

Conclusion

Applicants submit that this application is now in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,

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